

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JIAJIE ZHU,
Plaintiff,
v.
JING LI, et al.,
Defendants.

Case No. 19-cv-02534-JSW

**ORDER DENYING MOTION FOR
NEW TRIAL RE ACCEPTANCE OF
REMITTITUR**

Re: Dkt. Nos. 242, 243

On July 26, 2023, the Court denied Defendants motion for a new trial on the claims for intentional misrepresentation and breach of fiduciary duty and denied the motion for new trial on the breach of contract claim and punitive damages award conditioned on Plaintiff accepting a remittitur of the jury's award of damages. (*See* Dkt. No. 242.) Plaintiff has accepted the remittitur of the breach of contract damages and the punitive damages award. (Dkt. No. 243.) Accordingly, Defendants' motion for a new trial is DENIED for the reasons previously given, and the Court shall issue an amended judgment to reflect the remittitur of the breach of contract award and punitive damages award. *See Fenner v. Dependable Trucking Co.*, 716 F.2d 598, 603 (9th Cir. 1983) (discussing procedure upon acceptance of remittitur). The amended judgment shall also reflect the mitigation of damages award and the award of attorney's fees and costs.

IT IS SO ORDERED.

Dated: August 16, 2023


JEFFREY S. WHITE
United States District Judge